

LAST WILL AND TESTAMENT OF VERONICA ROSE HARGIS

I, VERONICA ROSE HARGIS, of the Town of Warwick, County of Orange, State of New York, being of sound mind and memory, do make, publish and declare this to be my Last Will and Testament, revoking all Wills and Codicils which I have previously made.

FIRST: I direct that all my just debts and funeral expenses be paid as soon after my decease as practicable.

SECOND: All of my personal effects and household furnishings, I bequeath to my beloved husband, LUTHER CALVIN HARGIS.

THIRD: I give, devise and bequeath all the rest, residue and remainder of my property, real and personal, of every kind and nature, and wheresoever situate, and any and all property over which I have a power of disposal, to my beloved husband, LUTHER CALVIN HARGIS.

FOURTH: In the event my husband and I shall die under circumstances in which it cannot be determined who died first, or in the event he shall predecease me, or fail to survive me by more than thirty (30) days, I then instruct that my estate be distributed as follows:

- (a) I bequeath all of my household furnishings and personal effects to my Executor, with the direction that the Executor divide these items of personal property equitably among my four (4) children;
- (b) I give, devise and bequeath all the rest, residue and remainder of my property and estate, real or personal property of every kind and nature and wheresoever situated, and any and all property over which I have a power of disposal to my Trustees, hereinafter named, according to the

Trust, except for DANIEL DREW HARGIS' needs to live in a comfortable manner. After DANIEL DREW HARGIS attains the age of Thirty-Five (35) years, the Trustees may continue the Trust under the same terms or terminate the Trust as the Trustees see fit in their sole and absolute discretion. In the event DANIEL DREW HARGIS passes away while the Trust is still in existence, the principal and/or accumulated income of the Trust shall go to DANIEL DREW HARGIS' issue and if he dies leaving no issue, it shall be divided among my three (3) daughters, or if any one (1) or more of them are deceased, to their issue, and if they die leaving no issue, to my surviving daughter or their issue.

FIFTH: I hereby nominate, constitute and appoint my husband, LUTHER CALVIN HARGIS, as Executor of this, my Last Will and Testament. In the event LUTHER CALVIN HARGIS shall predecease me or otherwise be unable to serve as Executor, I then nominate, constitute and appoint my brother, MICHAEL BARTEK, as Alternate Executor of this, my Last Will and Testament.

brother and sisters,, MICHAEL BARTEK, NANCY LARGENT and MARY NEGRI. The Trustees may designate one (1) of the three (3) Trustees to act in managing the account(s) and that Trustee may be the sole signator for withdrawals from the account(s). However, all decisions regarding the extent of distributions and the termination of DANIEL DREW HARGIS' Trust Fund shall be done by a majority vote of the three (3) Trustees. In the event any one (1) of the Trustees is unable to serve or thereafter passes away and/or otherwise becomes unable to serve, I nominate, constitute and appoint STEVEN BARTEK as the First Alternate Trustee and my daughter, ERIN MARIE HARGIS as the Second Alternate Trustee. In the event that it ever comes to pass that there are only two (2) Trustees for the Trust, then my daughter, ERIN MARIE HARGIS, may nominate one (1) of her

under my Will.

D. My Executor shall be entitled to receive compensation with respect to any property held for any minor pursuant to this paragraph of my Will at the same rate and in the same manner payable to testamentary trustees under the Laws of the State of New York.

EIGHTH: No bond or other security shall be required of the persons named herein as Executors or their successor or successors, in any jurisdiction whatsoever, for the faithful and proper performance of their duties.

NINTH: Whenever necessary to preserve the meaning, intent and sense of this Will, words indicating masculine and feminine and the singular and plural shall construed interchangeably.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the 25 day of

yene, 2003.

<u>Veronica</u> Rose Harges

VERONICA ROSE HARGIS

WITNESSES:

The foregoing instrument, consisting of five (5) typewritten pages including this page, was signed, sealed, published and declared by the above named Testatrix, who was of sound mind and memory and who realized the natural bounty of her affection as her Last Will and Testament, in our presence, and we, at her request, signed our names as witnesses the 23 day of

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Warwick, M. Y. 1199.

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Weden, n. y. 12586

AFFIDAVIT OF ATTESTING WITNESS - At Execution

STATE OF NEW YORK)

COUNTY OF ORANGE)

Each of the undersigned, individually and severally being duly sworn, deposes and says:

The within Will was subscribed in our presence and sight at the end thereof by VERONICA ROSE HARGIS, on the 23 Oday of , 2003, at the office of Luke M. Charde, Jr., 19 West Street, Warwick, New York.

Said Testatrix at the time of making such subscription declared the instrument so subscribed to be her Last Will and Testament.

Each of the undersigned thereupon signed their name as a witness at the end of said Will at the request of said Testatrix and in her presence and sight and in the presence and sight of each other.

Said Testatrix was, at the time of so executing said will, over the age of eighteen (18) years of age, and in the respective opinions of the undersigned, of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Will.

Each of the undersigned was acquainted with said Testatrix at such time and makes this affidavit at her request.

The within Will was shown to the undersigned at the time this affidavit was made, and was examined by each of them as to the signature of said Testatrix and of the undersigned.

The foregoing instrument was executed by the Testatrix and witnessed by each of the undersigned affiants under the supervision of Luke M Charde, Jr., attorney at law.

Severally sworn to before me this

23rd day of

June , 200

Notary Public

MARIA COLETTI

Notary Public - State of New York

NO. 01C07878400

Gluatited in Orange County /
My Commission Expires 2/15/67